

or incendiary device, attempts to cause bodily injury to any person, because of—

“(i) the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person; and

“(ii) the actual or perceived relationship to the spread of COVID-19 of any person because of the characteristic described in clause (i), shall be fined under this title and imprisoned for not less than 10 years or for life, or, if death results, shall be sentenced to not less than 30 years and not more than life, or may be punished by death.

“(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

“(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(I) across a State line or national border; or

“(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

“(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(iv) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.”; and

(4) in paragraph (4), as so redesignated—

(A) by striking “(1) or in paragraph (2)(A)” and inserting “(1), in paragraph (2)(A)”;

(B) by inserting “, or in paragraph (3)(A) (without regard to whether that conduct occurred in a circumstance described in paragraph (3)(B))” after “paragraph (2)(B))”

SA 1422. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

In section 3, strike subsection (b).

SA 1423. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. REVIEW OF ANTI-ASIAN DISCRIMINATION IN INSTITUTIONS OF HIGHER EDUCATION.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE PERIOD.—The term “applicable period” means the 5-year period beginning on the date on which the officer or employee is designated under subsection (b).

(2) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(b) DESIGNATION.—Not later than 1 day after the date of enactment of this Act, the Attorney General shall designate an officer or employee of the Department of Justice whose sole responsibility during the applica-

ble period shall be to review and investigate allegations of anti-Asian discrimination in the admissions policies of institutions of higher education in the United States.

(c) REPORTS.—Not later than 180 days after the date of enactment of this Act, and once every 180 days thereafter until the end of the applicable period, the Attorney General shall submit a report to Congress on the allegations described in subsection (b) reviewed during the reporting period, which shall include—

(1) a summary of each allegation received; and

(2) information about the status of each allegation, including whether the Department of Justice filed or declined to file an action based on the allegation.

SA 1424. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. REPORT ON RELIGIOUS RESTRICTIONS DURING THE COVID-19 PANDEMIC.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the restrictions on religious exercise imposed by States, the District of Columbia, Puerto Rico, and any other territory or possession of the United States during the COVID-19 pandemic.

(b) CONTENTS.—The report required to be submitted under subsection (a) shall include—

(1) an analysis of whether the same restrictions applied to religious institutions also applied equally to secular organizations or businesses; and

(2) an analysis of whether each imposed restriction complies with the ruling of the Supreme Court of the United States in *Tandon v. Newsom*, No. 20A151, 539 U.S. ____ (2021).

SA 1425. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. REPORT ON RELIGIOUS RESTRICTIONS DURING THE COVID-19 PANDEMIC.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the restrictions on religious exercise imposed by States, the District of Columbia, Puerto Rico, and any other territory or possession of the United States during the COVID-19 pandemic.

(b) CONTENTS.—The report required to be submitted under subsection (a) shall include—

(1) an analysis of whether the same restrictions applied to religious institutions also applied equally to secular organizations or businesses; and

(2) an analysis of whether each imposed restriction complies with the ruling of the Supreme Court of the United States in *Tandon v. Newsom*, No. 20A151, 539 U.S. ____ (2021).

SA 1426. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. DEPARTMENT OF EDUCATION REPORT ON EFFECTS OF PANDEMIC-RELATED SCHOOL CLOSINGS ON CHILDREN.

The Secretary of Education shall submit a report to Congress on the effects of pandemic-related school closings on the educational development of children during the pandemic.

SA 1427. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. REPORT ON THE EFFECTIVENESS OF THE WORLD HEALTH ORGANIZATION'S RESPONSE TO THE COVID-19 PANDEMIC.

The Director of the Centers for Disease Control and Prevention shall submit a report to Congress on the effectiveness of the World Health Organization's response to the COVID-19 pandemic.

SA 1428. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. REPORT ON THE HEALTH EFFECTS OF LOCKDOWNS.

The Secretary of Health and Human Services shall submit a report to Congress on the effects that State and local lockdowns in 2020 had on the mental, emotional, and physical health of the people of the United States.

SA 1429. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. REPORT ON HOW STATE AND LOCAL LOCKDOWNS AFFECTED SMALL BUSINESS OWNERS AND EMPLOYEES.

The Secretary of Commerce shall submit a report to Congress that details the effects the State and local lockdowns implemented in 2020 had on small business owners and employees.

SA 1430. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. REPORT ON ENFORCEMENT OF MASK MANDATES AND SOCIAL DISTANCING RESTRICTIONS DURING PROTEST ACTIVITIES.

The Attorney General shall submit a report to Congress on whether Federal, State, or local law enforcement officers enforced COVID-19 related social distancing restrictions and mask mandates during protest activities occurring in States, the District of Columbia, Puerto Rico, and any other territory or possession of the United States in 2020.

SA 1431. Ms. ERNST (for herself and Mrs. CAPITO) submitted an amendment intended to be proposed by her to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ COVID-19 VIOLENCE AGAINST WOMEN ACT EXTENSION OF AUTHORITY.

(a) FINDINGS.—Congress finds the following:

(1) According to the American Journal of Emergency Medicine, during the COVID-19 pandemic, police departments across the country reported increases in domestic violence.

(2) One study, published in the journal Radiology, found that at Brigham and Women's Hospital in Boston, radiology scans and superficial wounds consistent with domestic abuse from March 11 to May 3 of last year exceeded the totals for the same period in 2018 and 2019 combined.

(3) Lockdowns associated with the COVID-19 pandemic increased the isolation of survivors of domestic violence and abusers have taken advantage of that isolation to further exert power and coercive control.

(4) Domestic violence programs and hotlines across the country have seen a substantial increase in contacts since the beginning of the COVID-19 pandemic.

(5) Especially in rural areas, survivors are often far from shelter and services, and steps taken to mitigate the spread of COVID-19 have only exacerbated that disparity.

(6) Survivors across the country have tragically experienced greater abuse and isolation due to lockdowns associated with the COVID-19 pandemic and are in desperate need of increased support.

(7) An extension of the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54) that lasts through the COVID-19 pandemic ensures that survivors can have their needs met, and ensures that their abusers are subjected to justice.

(b) AUTHORITY.—Any program, authority, or provision, including any pilot program, authorized under the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54) shall continue in effect through the date that is 6 months after the date on which the public health emergency for COVID-19, as declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d), expires.

SA 1432. Mr. MORAN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ JABARA-HEYER NO HATE ACT.

(a) SHORT TITLE.—This section may be cited as the “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021” or the “Jabara-Heyer NO HATE Act”.

(b) FINDINGS.—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(c) DEFINITIONS.—In this section:

(1) HATE CRIME.—The term “hate crime” means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) PRIORITY AGENCY.—The term “priority agency” means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) STATE.—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) UNIFORM CRIME REPORTS.—The term “Uniform Crime Reports” means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(d) REPORTING OF HATE CRIMES.—

(1) IMPLEMENTATION GRANTS.—

(A) IN GENERAL.—The Attorney General may make grants to States and units of local government to assist the State or unit of local government in implementing the National Incident-Based Reporting System, including to train employees in identifying and classifying hate crimes in the National Incident-Based Reporting System.

(B) PRIORITY.—In making grants under subparagraph (A), the Attorney General shall give priority to States and units of local government with larger populations.

(2) REPORTING.—

(A) COMPLIANCE.—

(i) IN GENERAL.—Except as provided in clause (ii), in each fiscal year beginning after the date that is 3 years after the date on which a State or unit of local government first receives a grant under paragraph (1), the State or unit of local government shall provide to the Attorney General, through the Uniform Crime Reporting system, information pertaining to hate crimes committed in that jurisdiction during the preceding fiscal year.

(ii) EXTENSIONS; WAIVER.—The Attorney General—

(I) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to comply with clause (i); and

(II) shall waive the requirements of clause (i) if compliance with that subparagraph by a State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(B) FAILURE TO COMPLY.—If a State or unit of local government that receives a grant under paragraph (1) fails to substantially comply with subparagraph (A) of this paragraph, the State or unit of local government shall repay the grant in full, plus reasonable interest and penalty charges allowable by law or established by the Attorney General.

(e) GRANTS FOR STATE-RUN HATE CRIME HOTLINES.—

(1) GRANTS AUTHORIZED.—

(A) IN GENERAL.—The Attorney General shall make grants to States to create State-run hate crime reporting hotlines.

(B) GRANT PERIOD.—A grant made under subparagraph (A) shall be for a period of not more than 5 years.

(2) HOTLINE REQUIREMENTS.—A State shall ensure, with respect to a hotline funded by a grant under paragraph (1), that—

(A) the hotline directs individuals to—

(i) law enforcement if appropriate; and

(ii) local support services;

(B) any personally identifiable information that an individual provides to an agency of the State through the hotline is not directly or indirectly disclosed, without the consent of the individual, to—

(i) any other agency of that State;

(ii) any other State;

(iii) the Federal Government; or

(iv) any other person or entity;

(C) the staff members who operate the hotline are trained to be knowledgeable about—

(i) applicable Federal, State, and local hate crime laws; and

(ii) local law enforcement resources and applicable local support services; and

(D) the hotline is accessible to—

(i) individuals with limited English proficiency, where appropriate; and

(ii) individuals with disabilities.

(3) BEST PRACTICES.—The Attorney General shall issue guidance to States on best practices for implementing the requirements of paragraph (2).

(f) INFORMATION COLLECTION BY STATES AND UNITS OF LOCAL GOVERNMENT.—

(1) DEFINITIONS.—In this subsection: